

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

JENNIFER SHAH,

Defendant.

19-cr-833 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On March 24, 2023, ChaudhryLaw PLLC filed a motion to withdraw as counsel for defendant pursuant to Local Criminal Rule 1.2. (ECF No. 691.) That motion was served on defendant via mail on March 25, 2023. (ECF No. 692.) ChaudhryLaw seeks to withdraw as counsel for defendant because defendant has allegedly failed to pay \$124,422.95 in fees and expenses owed to the firm. (ECF No. 699.) Shah was sentenced on January 6, 2023 to 78 months in custody followed by five years of supervised release.

Rule 1.2 of the Local Criminal Rules of the United States District Courts for the Southern and Eastern Districts of New York states that once a notice of appearance has been filed, an attorney may not withdraw except upon prior order of the Court pursuant to Local Civil Rule 1.4.

The Court has “considerable discretion in deciding a motion for withdrawal of counsel.” *Bruce Lee Enters, LLC v. A.V.E.L.A., Inc.*, 2014 U.S. Dist. LEXIS 37574, at *6 (S.D.N.Y. Mar. 19, 2014). When considering whether to grant an attorney’s motion to withdraw, “district courts analyze two factors: the reasons for withdrawal and the impact of the withdrawal on the timing of the proceeding.” *Blue Angel Films, Ltd. v. First Look Studios, Inc.*, 2011 U.S. Dist. LEXIS 16674, at *1 (S.D.N.Y. Feb. 17, 2011). Local Civil Rule 1.4 also requires an attorney to indicate whether she is asserting a retaining or charging lien and to serve a copy of her application to withdraw upon the client.

In this case, defendant’s counsel has presented satisfactory reasons for withdrawal: namely, that defendant has allegedly not paid the fees and expenses owed to the firm, despite repeated requests since July of 2022. (ECF No. 691, at 3.) Courts have “long recognized that a client’s continued refusal to pay legal fees constitutes a ‘satisfactory reason’ for withdrawal under Local Rule 1.4.” *Team Obsolete, Ltd. v. A.H.R.M.A. Ltd.*, 464 F. Supp. 2d 164, 165 (E.D.N.Y. Dec. 11, 2006).

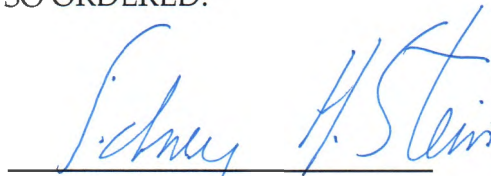
Furthermore, counsel's withdrawal will not have an adverse impact on the timing of the proceeding. Shah has already been sentenced to 78 months and is currently serving her time in custody.

Finally, ChaudhryLaw PLLC has indicated that it will be asserting a retaining lien against Shah.

Accordingly, ChaudhryLaw PLLC's motion to withdraw as counsel for defendant in this action is hereby granted.

Dated: New York, New York
April 10, 2023

SO ORDERED:

A handwritten signature in blue ink, appearing to read "Sidney H. Stein", is written over a horizontal line.

Sidney H. Stein, U.S.D.J.